50 USCA App. Sec. 633 (5)

"(5) Any person who willfully performs any act prohibited, or willfully fails to perform any act required by, any provision of this subsection (a) or any rule, regulation, or order thereunder, whether heretofore or hereafter issued, shall be guilty of a misdemeanor, and shall, upon conviction, be fined not more than $10,000 or imprisoned for not more than one year, or both.

50 USCA App. Sec. 925 (b)

(b) Any person who willfully violates any provision of section 4 of this Act (section 904 of this Appendix), and any person who makes any statement or entry false in any material respect in any document or report required to be kept or filed under section 2 or section 202 (sections 902 or 922 of this Appendix), shall, upon conviction thereof, be subject to a fine of not more than $5,000, or to imprisonment for not more than two years in the case of a violation of section 4 (c) (section 904 (c) of this Appendix) and for not more than one year in all other cases, or to both such fine and imprisonment. Whenever the Administrator has reason to believe that any person is liable to punishment under this subsection, he may certify the facts to the Attorney General, who may, in his discretion, cause appropriate proceedings to be brought.

Federal Rules of Criminal Procedure, Rule 37 (b)

(b) Petition for Review on Writ of Certiorari.

(1) Petition. Petition to the Supreme Court for writ of certiorari shall be made as prescribed in its rules.

(2). Time of Making Petition. Petition for writ of certiorari may be made within 30 days after entry of the judgment or within such further time not exceeding 30 days as the Court or a justice thereof for cause shown may fix within the 30-day period following judgment. If the judgment was entered in a district court in Alaska, Hawaii, Puerto Rico, Canal Zone or Virgin Islands, the petition shall be deemed in time if mailed under a postmark dated within such 30-day period.

Federal Rules of Criminal Procedure, Rule 52 (b)

(b) Plain Error. Plain errors or defects affecting substantial rights may be noticed although they were not brought to the attention of the court.

Revised Ration Order No. 16 (9 F.R. 6756) sec. 11.7

Sec. 11.7 *Foods may be stored and returned from storage, point-free.* (a) No points need be given up for a delivery of foods covered by this order for storage purposes only.

(b) No points need be given up for a delivery of such

foods from the place of storage to the person who stored them, or to a person to whom he has sold or transferred them. (However, that sale or transfer must be made in a way permitted by this order.)

Revised Ration Order No. 16 (9 F.R. 6756) sec. 11.8

Sec. 11.8 *Security interests in foods may be created and released, point-free.* (a) No points need be given up for a transfer of foods covered by this order, or of any interest in them, for security purposes only. (For example, if such foods are pledged or mortgaged, the person with whom they are pledged or mortgaged need not give up points.)

(b) No points need be given up for a release of a security interest in such foods, or for a return of those foods to the person who originally transferred them for security purposes. (For example, a person who pledged those foods may get them back without giving up points. Similarly, a person who gave a chattel mortgage on them need not give up points when the mortgage is ended.)

Revised Ration Order No. 16 (9 F.R. 6765) sec. 20.1

Sec. 20.1 *Additional prohibitions.* (a) No "person" shall use points unless he has received them in a way permitted by this or any other order of the Office of Price Administration.

(b) No person shall "transfer," "acquire," use or

possess "foods covered by this order" except in a way permitted by this or any other order of the Office of Price Administration.

(c) No person shall give or transfer points, a "stamp", "token" or a "certificate" to any other person, except in a way permitted by this or any other order of the Office of Price Administration.

(d) No person may transfer foods covered by this order for a stamp, token, certificate or ration check if he knows or has reason to believe that is it not valid or that the person tendering it is not entitled to use it.

(e) No person shall have a stamp, token, certificate or ration check in his possession except the person (or agent of the person) to whom it was issued or by whom it was acquired in a way permitted by this or any other order of the Office of Price Administration.

(f) No person shall deface, mutilate, or destroy any stamp, token, certificate or ration check, except where permitted by this or any other order of the Office of Price Administration. A defaced or mutilated stamp, token, certificate or ration check is not valid for any purpose.

(g) No person shall counterfeit, forge, or alter a stamp, token, certificate, credit authorization, or ration check, and no person shall transfer, acquire, possess, or use a coun-

terfeited, forged or altered stamp, token, certificate, credit authorization or ration check.

(h) No person may transfer foods covered by this order in violation of any applicable order of an agency of the United States.

(i) No person shall offer, solicit, attempt or agree to do, or assist in doing any act in violation of this order.

(j) Paragraphs (b), (c), (e), (f), (g) and (h) of this section do not apply to public officials who do any of those acts in the performance of their public duties.

(k) No person shall, in any registration, report, application, or other statement or record made pursuant to or required by this order, make any untrue statement of fact, or omit to state any fact which is required to be stated or which is necessary to make a statement not misleading.

(l) No person shall, after demand, withhold a stamp, token, certificate or ration check from the person who is entitled to have it.

(m) No person shall sell or transfer any item of foods covered by this order at a price in excess of the applicable maximum price established for that item by the Office of Price Administration.

(n) No person shall sell or transfer any item of food covered by this order except in a form in which it appears

on the Official Tables of Consumer Point Values or Official Table of Trade Point Values.

Sec. 1364.407 (f) Rev. M.P.R. No. 169 (9 F.R. 9617)

(f) Whenever used in this paragraph (f), the term "shipment" shall mean all commodities which are consigned to a single buyer as part of a single freight car or truck movement for delivery to the place of business or warehouse of the buyer, other than a consignment for delivery of the entire content of a common carrier freight car or truck to a war procurement agency.

(1) Except as provided in paragraph (f) (2) of this sec. 1364.407, every person making a sale of any beef carcass, beef wholesale cut, veal carcass, veal wholesale cut, or other meat item subject to this revised regulation, shall furnish to the purchaser at the time of delivery a written statement setting forth the name and address of the buyer and seller; identifying each such item sold; setting forth the quantity, grade, including sex identification of beef as to stag or bull, the weight thereof, and the price charged and/or received therefor, including a separate statement of the transportation and local delivery charge as required by sec. 1364.454 (a) (7).

(2) (i) In the case of any shipment made to a buyer located within a radius of 25 miles from the seller's dis-

tribution point, and in the case of any C.O.D. shipment made, irrespective of the distance, each person shipping any of the meat items subject to this revised regulation, shall send with each such shipment, a copy of the written statement referred to in paragraph (f) (1) hereof.

(ii) In the case of a shipment made to a buyer located beyond a radius of 25 miles from the seller's distribution point, other than a C.O.D. shipment, each person shipping any of the meat items subject to this regulation, shall send with each such shipment, a copy of the written statement referred to in paragraph (f) (1) hereof: *Provided, however,* That if the shipment made to the buyer is commenced before 12 o'clock noon, that portion of the statement with respect to the price charged or received therefor, and the separate statement of the transportation and/or local delivery charge, may be omitted but must be mailed to the buyer on the same day. If the shipment made to the buyer is commenced after 12 o'clock noon that portion of the statement with respect to the price charged or received therefor, and the separate statement of the transportation and/or local delivery charge may be omitted but must be mailed to the buyer before 12 o'clock noon of the following business day.

(iii) Where the shipment made constitutes the entire content of a common carrier freight car or truck, the copy of the statement referred to in paragraph (f) (1) shall be

posted in the freight car or truck near or on the door. Where the shipment made constitutes only a part of the content of a common carrier freight car or truck, the copy shall be securely attached in a conspicuous place to one of the items included within the shipment. Where the shipment made is by a vehicle other than a common carrier, the copy referred to shall be given to and carried by the driver and he shall be authorized to display it to enforcement officers on request.

(iv) Every person transferring any of the meat items subject to this regulation to a business establishment or warehouse controlled or operated by him, which constitute the entire content of a vehicle, shall send with each vehicle making such transfer, a statement showing the name and address of the owner, the point of destination and that the meat items are not being transferred to a buyer in connection with a sale. The transfer must be identified in the same manner as required in the foregoing sub-paragraph (2) (iii) of this paragraph (f) except that the statement with respect to price or transportation and/or local delivery charge shall not be required.